

JAN-16-96 TUE 2:54 PM OPEN MARKET INC

01/16/96 TUE 11:07 FAX 1 617 314 3409

JAN-16-96 TUE 1:53 PM OPEN MARKET INC

FAX NO. 617 746583

Openmarket Menlo Park

FAX NO. 617 746583

P. 3

0002

P. 2

PATENT

ATTORNEY DOCKET NO: 06543/029001

COMBINED DECLARATION AND POWER OF ATTORNEY

COPY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MANAGING TRANSFERS OF INFORMATION IN A COMMUNICATIONS NETWORK, the specification of which

☐ is attached hereto.

☒ was filed on October 25, 1995 as Application Serial No. 08/548,137 and was amended on \_\_\_\_\_

☐ was described and claimed in PCT International Application No. \_\_\_\_\_  
filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, 41.56(a).

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Gary A. Walpert, Reg. No. 26,098, James E. Mross, Reg. No. 33,264

Address all telephone calls to James E. Mross at telephone number 617/542-5070.

Address all correspondence to Gary A. Walpert, Fish & Richardson P.C., 225 Franklin Street, Boston, MA 02110-2804.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: John R. Ellis

Inventor's Signature: [Signature]

Date: 1/16/96

Residence Address: 176 LaHonda Road, Woodside, California 94062

Citizen of: U.S.A.

Post Office Address: same

Full Name of Inventor: David M. Clifford

Inventor's Signature: [Signature]

Date: 1/11/96

Residence Address: 26 Pigeon Hill Road, Weston, Massachusetts 02157

Revised: August 24, 1994 (39)DECL:NR07

005280-2254960

**COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED**

Citizen of: U.S.A.

Post Office Address: same

Full Name of Inventor: G. Winfield Treese

Inventor's Signature: *G. Winfield Treese*

Date: 1/16/96

Residence Address: 81 Saco Street, Newton, Massachusetts 02164

Citizen of: U.S.A.

Post Office Address: same

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11-17-1997

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Attorney Docket No. 06543/020001

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Document.

Assistant Commissioner for Patents

100572907

1. Name of conveying party(ies):  
**John R. Ellis, David K. Gifford,  
G. Winfield Treese**

Additional name(s) attached? ☐ Yes ☒ No

3. Nature of conveyance:  
☒ Assignment  
☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Other:

2. Name and address of receiving party(ies):  
**Open Market, Inc.  
245 First Street  
Cambridge, Massachusetts 02142**

Additional names/addresses attached? ☐ Yes ☒ No

COPY

Execution Date: **October 14, 16, 22, 1997**

4. Application number(s) or patent number(s):  
If this document is being filed with a new application, the execution date of the application is:  
A. Patent Application No.(s): **08/548,137**  
B. Patent No.(s):

3542 U.S. PTO  
09/645933  
08/25/00

Additional numbers attached? ☐ Yes ☒ No

5. Name/address of party to whom correspondence concerning document should be mailed:

**James E. Mrose, Reg. No. 33,264  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804**

6. Total number of applications/patents involved: **1**

7. Total fee (37 CFR 3.41): **\$40**  
☒ Enclosed  
☐ Authorized to charge deposit account

8. Deposit account number: **06-1050**  
If the fee above is being charged to deposit account, a duplicate copy of this cover sheet is attached. Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.

DO NOT USE THIS SPACE

9. Statement and signature: *To the best of my knowledge and belief, the foregoing information is true and correct and the attached is the original document.*

**James E. Mrose, Reg. No. 33,264**

Name of Person Signing

Signature

**November 5 1997**  
DateTotal number of pages including cover sheet, attachments, and document: **3**

11/14/1997 VBROWN 00000134 08548137  
FC:381 40.00 OP

Date of Deposit

**November 5, 1997**  
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

**Robyn LeCasse**  
**Robyn LeCasse**

# ASSIGNMENT

For valuable consideration, we, John R. Ellis, of Woodside, California; David K. Gifford of Weston, Massachusetts; G. Winfield Treese of Newton, Massachusetts; hereby assign to Open Market, Inc., a Delaware corporation having a place of business at 245 First Street, Cambridge, MA 02142, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent Application No. 08/548,137, filed October 25, 1995, entitled MANAGING TRANSFERS OF INFORMATION IN A COMMUNICATIONS NETWORK

this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our name or in its own name for patents, utility models, and design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for ourselves and our respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Menlo Park,  
this 17 day of October, 1998.  
John R. Ellis [Signature] L.S.

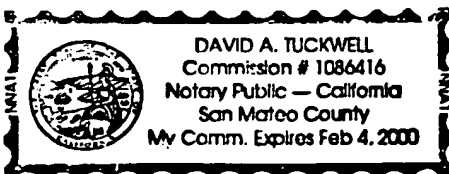
STATE OF California :  
COUNTY OF San Mateo : SS.

Before me this 14<sup>th</sup> day of October, 1998, personally appeared John R. Ellis known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

[Signature]  
Notary Public

My Commission Expires: Feb 4, 2000

[Notary's Seal Here]



IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge  
this 22nd day of October, 1996<sup>7</sup>  
David K. Gifford \_\_\_\_\_ L.S.

STATE OF Massachusetts :  
COUNTY OF Middlesex :SS.

Before me this 22nd day of October, 1996<sup>7</sup>, personally appeared David K. Gifford known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Lisa M. Sampson  
Notary Public

[Notary's Seal Here]

My Commission Expires: Jan. 1, 2004

IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge  
this 16th day of October, 1996<sup>7</sup>  
G. Winfield Treese \_\_\_\_\_ L.S.  
G. Winfield Treese

STATE OF Massachusetts :  
COUNTY OF Middlesex :SS.

Before me this 16th day of October, 1996<sup>7</sup>, personally appeared G. Winfield Treese known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Lisa M. Sampson  
Notary Public

[Notary's Seal Here]

My Commission Expires: Jan. 1, 2004